

In re Appln. of Alan F. Savicki
Application No. 10/049,536

REMARKS

The Office Action dated September 17, 2004 indicates that the amendment to the claims filed on May 12, 2004 does not comply with the requirements of 37 C.F.R. 1.121(c) because it utilizes the status identifiers "(Previously Canceled)", "(Presently Amended)", "(Previously Added)" in the listing of claims. The Office Action further indicates that these status identifiers are not permitted under 37 CFR 1.121(c). Submitted herewith is a new listing of claims utilizing the appropriate status identifiers.

For the convenience of the Examiner, represented below are the remarks that accompanied the amendment to the claims filed on May 12, 2004.

Applicants have carefully reviewed and considered the Office Action dated February 13, 2004, and the references applied therein. By this response it is proposed that claims 50, 51, 53, 54, 56, 59, 61, 62, 64, 65, 67, 70, 72, 73, 75, 76, 78, and 81 be amended and that claims cancel claims 49, 60, and 71 be canceled. Claims 50-59, 61-70 and 72-81 remain in this application. No new matter has been added by way of these amendments. Applicants believe that the application is now in condition for allowance. Accordingly, favorable reconsideration in light of the following remarks is respectfully requested.

Claims 49, 51, 53-57, 59, 60, 62, 64-68, 70, 71, 73, 75-79 and 81 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Pope (US 5,140,796) in view of Porchia et al. (US 5,647,100).

The Office Action objected to claims 50, 52, 58, 61, 63, 69, 72, 74, and 80 as being dependent on a rejected base claim. The Office Action indicated that these claims would be allowable if they were rewritten in independent form including all of the limitations of the base claim and intervening claims.

Applicant respectfully submits that there are substantial structural differences between the applied references and applicants' claimed invention. However, to expedite the prosecution of the subject matter that the Office Action indicates is allowable, applicants have rewritten the rejected independent claims to include the allowable subject matter of certain of the objected to claims as suggested by the Office Action.

Claim 50 has been rewritten in independent form to include the substance of canceled claim 49. Accordingly, as indicated in the Office Action, amended claim 50 is in condition for allowance. Claims 51, 53, 54, 56, and 59 have been amended to depend from amended claim 50 and, therefore, these claims contain the same patentable features. Dependent claims

In re Appln. of Alan F. Savicki
Application No. 10/049,536

52, 55, 57 and 58 depend from amended claim 50 and, therefore, these claims contain the same patentable features.

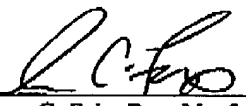
Claim 61 has been rewritten in independent form to include the substance of canceled claim 60. Accordingly, as indicated in the Office Action, amended claim 61 is in condition for allowance. Claims 62, 64, 65, 67, and 70 have been amended to depend from amended claim 61 and, therefore, these claims contain the same patentable features. Dependent claims 63, 66, 68 and 69 depend from amended claim 61 and, therefore, these claims contain the same patentable features.

Claim 72 has been rewritten in independent form to include the substance of canceled claim 71. Accordingly, as indicated in the Office Action, amended claim 72 is in condition for allowance. Claims 73, 75, 76, 78, and 81 have been amended to depend from amended claim 72 and, therefore, these claims contain the same patentable features. Dependent claims 74, 77, 79 and 80 depend from amended claim 72 and, therefore, these claims contain the same patentable features.

Conclusion

The application is considered in good and proper form for allowance, and the Examiner is respectfully requested to pass this application to issue. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,

By: 
Thomas C. Feix, Reg. No. 34,592

The Glad Products Company
PO Box 24305
Oakland, CA 94623-1305
(510) 271-7416 (Telephone)
(510) 271-5652 (Facsimile)

Date: September 27, 2004